



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/858065	BATTERSBY	B 21415-0005

HELLER EHRMAN WHITE & MCAULIFFE LLP
1666 K STREET, NW
SUITE 300
WASHINGTON, DC 20006

INTERNATIONAL APPLICATION NO.

PCT/AU99/01065

I.A. FILING DATE	PRIORITY DATE
30 NOV 99	30 NOV 98

DATE MAILED:

01 AUG 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ 1312.00 as a ☒ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☒ PTO-875 ☐ PCT/DO/EO/920

FORM PCT/DO/EO/905 (March 2001)

Mamie P. Person

Telephone: 703-305-3737

FORM PTO-1390 (Modified) (REV 5-83)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		INVENTOR'S DOCKET NUMBER 21415-0005	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371					
SEP 06 2001 INTERNATIONAL APPLICATION NO. PCT/AU99/00965		INTERNATIONAL FILING DATE November 30, 1999		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/856,859	
PRIORITY DATE CLAIMED November 30, 1998					
TITLE OF INVENTION CARRIERS FOR COMBINATORIAL COMPOUND LIBRARIES					
APPLICANT(S) FOR DO/EO/US Bronwyn Jean BATTERSBY; Darryn Edward BRYANT; Matt TRAU					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. ___ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <u>X</u> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. ___ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. ___ A proper Demand for International Preliminary Examination was made by the 19 th month from the earliest claimed priority date. 5. ___ A copy of the International Application as filed (35 U.S.C. 371©(2)) a. ___ is transmitted herewith (required only if not transmitted by the International Bureau). b. ___ has been transmitted by the International Bureau. c. ___ is not required, as the application was filed in the United States Receiving Office (RO/US) 6. ___ A translation of the International Application into English (35 U.S.C. 371 ©(2)). 7. ___ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371©(3)) a. ___ are transmitted herewith (required only if not transmitted by the International Bureau). b. ___ have been transmitted by the International Bureau. c. ___ have not been made; however, the time limit for making such amendments has NOT expired. d. ___ have not been made and will not be made. 8. ___ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371©(3)). 9. <u>X</u> An oath or declaration of the inventor(s) (35 U.S.C. 371©(4)). 10. ___ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371©(5)).					
Items 11. to 16. below concern other document(s) or information included: 11. ___ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. ___ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. ___ A FIRST preliminary amendment. ___ A SECOND or SUBSEQUENT preliminary amendment. 14. ___ A substitute specification. 15. ___ A change of power of attorney and/or address letter. 16. ___ Other items or information:					

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)
09/856,859

INTERNATIONAL APPLICATION NO.
PCT/AU99/01065

ATTORNEY'S DOCKET NUMBER
21415-0005

17. ☒ The following fees are submitted:

CALCULATIONS PTO USE ONLY

Basic National Fe (37 CFR 1.492(a)(1)-(5):

Neither international preliminary examination fee (CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....**\$1000.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....**\$860.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....**\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....**\$690.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....**\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 ____ 30 ____ months from the earliest claimed priority date (37 CFR 1.492(e)) **\$130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	62 - 20	42	X \$18.00	\$756.00
Independent Claims	5 - 3	2	X \$80.00	\$160.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00

TOTAL OF ABOVE CALCULATIONS = \$1046.00

☒ Applicants claim small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. **\$523.00**

SUBTOTAL = \$523.00

Processing fee of \$130.00 for furnishing English translation later the 20 ____ 30 ____ months from the earliest claimed priority date (37 CFR 1.492(f)). +

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

TOTAL FEES ENCLOSED = \$523.00

09/10/2001 ~~UDUWITE 00000116~~ 09856859

01 FC:254
02 FC:967
03 FC:965

65.00 OP
378.00 OP
80.00 OP

Amount to be:
refunded \$
charged: \$

- a. ☒ A check in the amount of **\$523.00** to cover the above fees is enclosed.
- b. ____ Please charge my Deposit Account No. 08-1641 in the amount of \$ ____ to the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1641. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

HELLER EHRMAN WHITE & MCAULIFFE, LLP
1666 K Street, NW, Suite 300
Washington, DC 20006
Tel: (202) 912-2000
Fax: (202) 912-2020



26633

SIGNATURE

NAME: JOHN P. ISACSON

REGISTRATION NUMBER: 33,715

DATE: SEPTEMBER 6, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001 Patent fees are subject to annual revision.		Complete if Known	
		Application Number	09/856,859 ✓
		Filing Date	May 29, 2001
		First Named Inventor	Bronwyn Jean BATTERSBY et al.
		Examiner Name	Unassigned
		Group / Art Unit	Unassigned
TOTAL AMOUNT OF PAYMENT (\$)		523	
		Attorney Docket No.	21415-0005

METHOD OF PAYMENT (check one) 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 08-1641 Deposit Account Name: HELLER EHRMAN WHITE & MCAULIFFE <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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2. EXTRA CLAIM FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="4">SUBTOTAL (2)</td><td>(\$)</td><td>458</td></tr> </tbody> </table>					Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	80	202	40	Independent claims in excess of 3		104	270	204	135	Multiple dependent claim, if not paid		109	80	209	40	** Reissue independent claims over original patent		110	18	210	9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)				(\$)	458	Other fee (specify) *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 65																																																																																																																																									
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SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	John P. Isacson	Registration No. Attorney/Agent)	33,715	Telephone	(202) 912-2000
Signature				Date	September 6, 2001

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